

HOUSE BILL 573

E2

2lr2115

By: **Delegates K. Kelly, Cluster, Hough, McDermott, Smigiel, and Valentino-Smith**

Introduced and read first time: February 3, 2012

Assigned to: Judiciary

A BILL ENTITLED

1 AN ACT concerning

2 **Criminal Procedure – Bail Bondsman Solicitation – Penalty**

3 FOR the purpose of prohibiting an employee of a courthouse or correctional facility
4 from performing certain acts on the grounds of a courthouse or correctional
5 facility; clarifying that a certain person at a certain location may not approach,
6 entice, or invite a person to use the services of a specific bail bondsman; altering
7 the penalties for a violation of this Act; and generally relating to bail bondsmen.

8 BY repealing and reenacting, with amendments,
9 Article – Criminal Procedure
10 Section 5–210
11 Annotated Code of Maryland
12 (2008 Replacement Volume and 2011 Supplement)

13 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
14 MARYLAND, That the Laws of Maryland read as follows:

15 **Article – Criminal Procedure**

16 5–210.

17 (a) (1) In this section the following words have the meanings indicated.

18 (2) “Agent” means a person that acts or is authorized to act as the
19 representative of a bail bondsman.

20 (3) (i) “Bail bondsman” means a licensed limited surety agent or a
21 licensed professional bail bondsman.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (ii) "Bail bondsman" does not include a person that contracts
2 with a public agency to provide bail bonds to persons detained in a correctional
3 facility.

4 (b) On the grounds of a courthouse or correctional facility, a bail bondsman
5 [or], an agent of a bail bondsman, **AN EMPLOYEE OF THE COURTHOUSE, OR AN**
6 **EMPLOYEE OF A CORRECTIONAL FACILITY** may not:

7 (1) approach, entice, or invite a person to use the services of a
8 **SPECIFIC** bail bondsman;

9 (2) distribute, display, or wear an item that advertises the services of
10 a bail bondsman; or

11 (3) otherwise solicit business as a bail bondsman.

12 (c) A person who violates subsection (b) of this section is guilty of a
13 misdemeanor and on conviction is subject to:

14 (1) a fine not exceeding **[\$100] \$2,500, AND IF LICENSED IN**
15 **ACCORDANCE WITH THE INSURANCE ARTICLE, A 30-DAY LICENSE SUSPENSION**
16 for a first offense; and

17 (2) a fine not exceeding **[\$1,000] \$5,000, AND IF LICENSED IN**
18 **ACCORDANCE WITH THE INSURANCE ARTICLE, A 90-DAY LICENSE SUSPENSION**
19 for a subsequent offense.

20 (d) A person convicted of a violation of subsection (b) of this section shall be
21 referred to the Insurance Commissioner for appropriate action.

22 **SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect**
23 **October 1, 2012.**